

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

PETER SINCLAIR, :
Plaintiff, :
: :
v. : : **CIVIL ACTION NO. 24-CV-1514**
: :
RONALD RADIO, :
Defendant. :
:

ORDER

AND NOW, this 21st day of June, 2024, upon consideration of Plaintiff Peter Sinclair's second Motion to Proceed *In Forma Pauperis* (ECF No. 6), *pro se* Complaint (ECF No. 2), and Emergency Motion for Order (ECF No. 8), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.
2. The Complaint is **DEEMED** filed.
3. The Complaint is **DISMISSED IN PART WITH PREJUDICE AND IN PART WITHOUT PREJUDICE** for the reasons stated in the Court's Memorandum as follows:
 - a. Sinclair's constitutional claims are **DISMISSED WITH PREJUDICE**;
 - b. All claims asserted on behalf of the Estate of Donna Radio are **DISMISSED WITHOUT PREJUDICE**;
 - c. Sinclair's state law claims are **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction.
4. Sinclair's Emergency Motion for Order is **DENIED**.
5. The Clerk of Court is **DIRECTED** to **CLOSE** this case.

BY THE COURT:

/s/ John M. Gallagher

JOHN M. GALLAGHER, J.